

Court of Appeals, Division One
Special Action

1 CA-SA 16-0261

BIOLOGICAL v. HON BERGIN/BEECHER et al

Appellate Case Information

Case Filed: 1-Dec-2016
Case Closed:

Dept/Composition

Department D

Hon. Andrew W Gould
Hon. Peter B Swann
Hon. Patricia A Orozco

Side 1. BIOLOGICAL RESOURCE CENTER OF ILLINOIS, L.L.C.; DONALD A. GREENE and DONALD A. GREENE, II, Petitioner

(Litigant Group) BIOLOGICAL

- Biological Resource Center of Illinois LLC
- Donald A Greene
- Donald A Greene, II

Attorneys for: Petitioners

Chad A Hester, Esq. (AZ Bar No. 22894)
Robert Stephenson, Esq. (IL Bar No. 2725045)
Mark Goldstein, Esq. (IL Bar No. 6306038)

Side 2. THE HONORABLE DAWN M. BERGIN, Judge of the SUPERIOR COURT OF THE STATE OF ARIZONA, in and for the County of MARICOPA,

Respondent Judge,

SUZANNE BEECHER, surviving spouse of Brent Alexander Beecher; GWENDOLYN ALOIA, surviving spouse of Louis William Aloia, Jr.; THEODORE BARNES-BREEN, surviving son of Thomas Francis Breen; BETTY BEACH, surviving spouse of Earl Charles Beach, Jr.; DEBBIE BEAUGEZ, surviving daughter of Bette Beauegez; NICHOLAS BONNES, surviving son of Jennifer Ann Bonnes; VIRGINIA CANAVERO, surviving sister of Thelma Christine Adamo; TANYA CARUSO, surviving spouse of Charles Caruso, Jr.; JOHN T. CHANEY, surviving brother of Archie Eugene Chaney; MARIA CLEMENTS, surviving spouse of Clyde Elmer Clements, II; NANCY COOPER, surviving daughter of Margaret Cooper; NANCY CULVER, surviving mother of Timothy Scott Smith; LEE ANN DRUDING, surviving sister of Rebecca Jean Synness; ERIKA ELAM-PREWITT, surviving daughter of Linda Davis-Wharton; MICHELE GILL, surviving daughter of Linda Diane Slawinski,

Real Parties in Interest., Respondent

(Litigant Group) HON BERGIN

- Hon. Dawn M Bergin, Respondent Judge

(Litigant Group) BEECHER et al

- Suzanne Beecher, Real Party in Interest
- Gwendolyn Aloia, Real Party in Interest
- Theodore Barnes-Breen, Real Party in Interest
- Betty Beach, Real Party in Interest
- Debbie Beauegez, Real Party in Interest
- Nicholas Bonnes, Real Party in Interest
- Virginia Canavero, Real Party in Interest
- Tanya Caruso, Real Party in Interest
- John T Chaney, Real Party in Interest
- Maria Clements, Real Party in Interest
- Nancy Cooper, Real Party in Interest
- Nancy Culver, Real Party in Interest
- Lee Ann Druding, Real Party in Interest
- Erika Elam-Prewitt, Real Party in Interest
- Michele Gill, Real Party in Interest

Attorney for: Real Party in Interest

Michael S Burg, Esq. (AZ Bar No. 31437)

CASE STATUS

Dec 22, 2016....Decision Rendered

| PREDECESSOR CASE(S) | Cause/Charge/Class | Judgment/Sentence | Judge, Role <Comments> | Trial | Dispo |
|---------------------|--------------------|-------------------|---|-------|-------|
| MAR CV2015-013391 | | | Dawn M Bergin, Authoring Judge of Order | | |

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1 CA-SA 16-0261 SA160261 SA 16 0261 SA-16-0261

Information presented in this document may not reflect all case activity and is subject to change without notice.

Court of Appeals, Division One
Special Action

1 CA-SA 16-0261

BIOLOGICAL v. HON BERGIN/BEECHER et al

OPEN DUE DATE

Petition for Review to ASC due

Due By: Monday, January 23, 2017

Re: ORDERED: Declining to accept jurisdiction of the Petition for Special Action. Hon Andrew W Gould - Author

PENDING MATTER

General Motion

Filed: 22-Dec-2016

** Motion to Strike Supplemental Response to Motion to Stay Trial Court Proceedings and Notice of Filing Transcript of December 15, 2016 Oral Argument Before the Honorable Dawn Bergin Regarding Defendants Motion to Stay in Superior Court*

CASE DECISION

22-Dec-2016 ORDER

ORDERED: Declining to accept jurisdiction of the Petition for Special Action.

Filed: **22-Dec-2016**

Mandate:

Decision Disposition

Jurisdiction Declined

Andrew Gould.....Author

17 PROCEEDING ENTRIES

1. 1-Dec-2016 FILED: Petition for Special Action and Request for Stay of Trial Court Proceedings; Certificate of Compliance; Contact Information Sheet (Petitioner)
2. 1-Dec-2016 FILED: Petitioner's Appendix To Petition For Special Action And Request For Stay Of Trial Court Proceedings; Exhibits C through F; Exhibit G (Petitioner)
3. 1-Dec-2016 FILED: Exhibit H Part 1; Exhibit H Part 2 (Petitioner)
4. 1-Dec-2016 FILED: Exhibit I Part 1; Exhibit I Part 2 (Petitioner)
5. 2-Dec-2016 FILED: Order Setting Dates/petition set for am of 12/28/16 by Dept D, Judges Gould, Swann, Orozco
6. 2-Dec-2016 FILED: Certificate of Service (re: Petition for Special Action and Appendix) (Petitioner)
7. 6-Dec-2016 RECEIPT No.: 2016-01470 ; \$280.00, Authorization: Ref1#40027331850, Applied to: BIOLOGICAL - Class A Filing Fee (\$280.00) Paid for: Wallin Hester PLC - By Integrated Resource Systems IN
8. 7-Dec-2016 FILED: Petitioners Biological Resource Center of Illinois, LLC, Donald A Greene and Donald A Grenne II Motion for Emergency Stay of Trial Court Proceedings Pending Resolution of Special Action in Court of Appeals; Certificate of Service; Exhibits A to C (Petitioner)
9. 12-Dec-2016 FILED: Response to Petition for Special Action and Request for Stay of Trial Court Proceedings; Cert of Compliance; Certificate of Service; Appendix 1-3 (Real Party in Interest)
10. 12-Dec-2016 FILED: Appendix 4-5 (Real Party in Interest)
11. 12-Dec-2016 FILED: Appendix 6-8 (Real Party in Interest)
12. 12-Dec-2016 FILED: Appendix 9 (Real Party in Interest)
13. 15-Dec-2016 RECEIPT No.: 2016-01517 ; \$140.00, Authorization: 49016243347, Applied to: BEECHER et al - Class B Filing Fee (\$140.00) Paid for: Burg Simpson Eldredge Hersh & Jardine PC - By Integrated Resource Systems IN
14. 16-Dec-2016 FILED: Reply Brief in Support of Petition for Special Action and Request for Stay of Trial Court Proceedings; Certificate of Service; Certificate of Compliance (Petitioner)
15. 19-Dec-2016 FILED: Supplemental Brief in Support of Petitioner's Motion for Emergency Stay of Trial Court Proceedings Pending Resolution of Special Action in Court of Appeals; Certificate of Service; Exhibit A; Exhibit B (Petitioner)
16. 22-Dec-2016 ORDERED: Declining to accept jurisdiction of the Petition for Special Action. Hon Andrew W Gould - Author
17. 22-Dec-2016 FILED: Motion to Strike Supplemental Response to Motion to Stay Trial Court Proceedings and Notice of Filing Transcript of December 15, 2016 Oral Argument Before the Honorable Dawn Bergin Regarding Defendants Motion to Stay in Superior Court; Certificate of Service; Reporter's Transcript - 12/15/2016 - Oral Argument (Linda J.Smith) (Real Party in Interest)